

February 27, 2019

To : Media Companies

PRESS STATEMENT TO NEWSROOMS AND MEDIA HOUSES

Our client, Mr. Guy Spencer Elms, Advocate of the High Court of Kenya and Partner at Raffman Dhanji Elms & Virdee Advocates LLP, has been made aware of misleading media reports relating to summons by the Director of Criminal investigation in regard to a probe on dam construction, now termed "Dam Scandal".

In the Notice issued through a Press Statement dated 25.02.2019 by the Directorate of Criminal Investigations, Our Client was listed as a director of Tile & Carpet Centre Ltd, one of the 107 companies requested to present various paperwork for verification.

Subsequently, there have been unfortunate reckless and false reporting by some sections of the Media, that our Client is under investigations and was interrogated by the DCI over the matter.

We note that Mr. Elms complied with the Press Statement, though not served upon him as required by the law or at all but as a law abiding Citizen presented himself at the DCI headquarters, where he presented evidence that he is neither a director nor shareholder of Tile & Carpet Centre Ltd.

Our Client further presented evidence that he resigned from being a Director and Shareholder in Tiles & Carpets Centre Limited in **January 2002**, which is **over 17 years ago** and documents showing such resignation and removal of his name from the register of the said Company records, although publicly accessible from the Company registry where the same was lodged pursuant to statutory requirements, was also provided to the DCI, who then saw no need of having our Client record a statement

As such, Mr. Elms though adhered to the DCI's Notice by Press Statement, was neither required to record any statement nor questioned by the DCI officials during his said attendance as wrongly reported by Capital FM and NTV on Tuesday 26th, 2019. It is unfortunate that the Media was not careful to verify the information before publication.

Our Client has solid evidence to demonstrate that the deliberate effort to use media to link our Client to the dam probe is part of a smear profiling campaign advanced by a land grabbing cartel within the Republic of Kenya in furtherance of ulterior motives to disparage our Clients reputation and at the same time, divert public attention from their Machiavellian deals by misreporting.

It is not lost that the land grabbing cartels fight back anyone that attempts to challenge their unscrupulous efforts. They will not hesitate to abuse any available opportunity, whether the media or government institutions to cause anguish and suffering to their challengers or anyone who stands in their way through fabricated charges. They are grand masters at diversionary tactics of their bad character and at the same time, engage in character laundering using the present legal systems and institutions.

Yours faithfully

Litoro & Omwebu Advocates



Oscar Litoro